

SENATE BILL 1892

By Herron

AN ACT to amend Tennessee Code Annotated, Title 63,
Chapter 6, relative to the treatment of pain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-1104(c), is amended by inserting the language "or other appropriate pharmacologic treatments" between the language "opiate medications" and "to relieve".

SECTION 2. Tennessee Code Annotated, Section 63-6-1104(g), is amended by deleting the subsection in its entirety and by substituting instead the following:

(g) Nothing in this section shall do any of the following:

(1) Limit any reporting or disciplinary provisions applicable to licensed physicians and surgeons who violate prescribing practices or other provisions set forth in this chapter or the regulations adopted thereunder;

(2) Limit the applicability of any federal statute or federal regulation or any of the other statutes or regulations of this state that regulate dangerous drugs or controlled substances; or

(3) Expand the authorized scope of practice of any licensed physician.

SECTION 3. Tennessee Code Annotated, Section 63-6-1108, is amended by deleting the word "or" at the end of subdivision (3); by deleting the period at the end of subdivision (4) and substituting instead a semi-colon; and by adding the following language as new subdivisions to be designated as follows:

(5) Diverting medications prescribed for a patient to the licensed physician's own personal use; or

(6) Causing, or assisting in causing, the suicide, euthanasia, or mercy killing of any individual; provided that it is not "causing, or assisting in causing, the suicide, euthanasia, or mercy killing of any individual" to prescribe, dispense, or administer medical treatment for the purpose of treating severe acute pain or severe chronic pain, even if the medical treatment may increase the risk of death, so long as the medical treatment is not also furnished for the purpose of causing, or the purpose of assisting in causing, death for any reason.

SECTION 4. This act shall take effect July 1, 2005, the public welfare requiring it.